

REMARKS

Applicants thank Examiner Simone for her time and consideration of the present application during the telephonic interview of June 19, 2007 with the undersigned.

During the interview, the relevancy of the SCHULZ patent was discussed, i.e., the embossed sheets of SCHULZ, after being separated and combined, are limited to a bulk and a thickness similar to embossed sheets that have not been separated and combined. A proposed amendment to claims 12 and 19 was also discussed to further distinguish the claimed invention from the cited publication. Examiner Simone stated that the proposed amendment to claims 12 and 19 would require further consideration and/or search.

Accordingly, this amendment, which includes the proposed amendment to claims 12 and 19, is filed along with a Request for Continued Examination. This application has been amended in a manner believed to place it in condition for allowance at the time of the next Official Action.

Claims 12-19 are amended.

Claims 13-18 are amended as to form only.

Support for the amendment to claims 12 and 19 may be found, for example, at specification page 3, second paragraph, the results of Table 1, and Figure 6B.

Claims 12-19 remain pending in the application.

The Official Action rejects, separately, claims 12-18 and claim 19 under 35 U.S.C. §103(a) as being unpatentable over SCHULZ EP 0344056 A2 (SCHULZ). Applicants respectfully disagree.

SCHULZ is offered for teaching two-ply tissue paper embossed together, separated, and subsequently rejoined to achieve an enhanced bulk. The position of the Official Action is that although SCHULZ fails to disclose the D, L, and H values of the claimed invention, these values would have been readily determined through routine experimentation by one of ordinary skill in the art.

However, SCHULZ discloses that the re-joined two-ply tissue has a caliper, or thickness, essentially the same as embossed two-ply tissue without the separation and rejoining steps (column 3, lines 50-65). This is not the same as the claimed invention.

Independent claim 12 recites that the laminated tissue paper of at least two displaced plies has a greater bulk than when said the plies are not displaced relatively. Independent claim 19 recites the laminated tissue paper of two displaced plies has a greater thickness than when the plies are not displaced relatively to each other in a displacement direction.

The difference between the claimed invention and SCHULZ may be illustrated by Figures 6A and 6B of the present

specification:

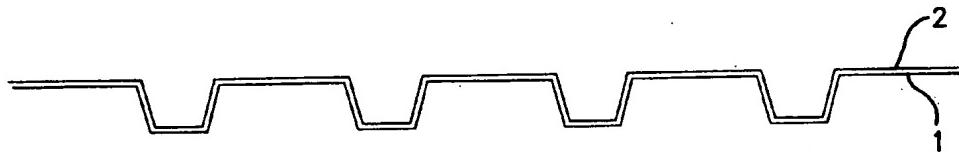


FIG. 6A

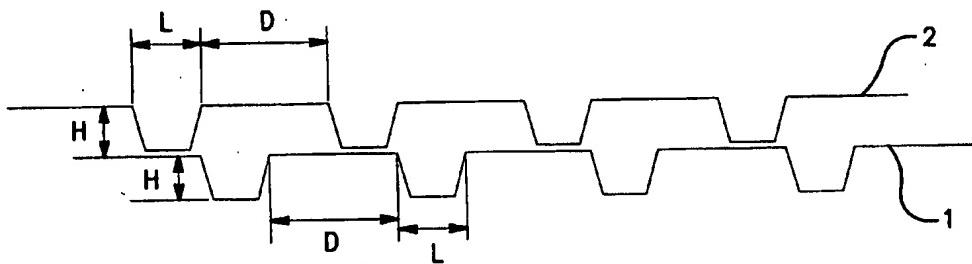


FIG. 6B

Figure 6A illustrates the thickness of a two-ply paper that is embossed two-ply tissue without the separation and displacement of the plies of the claimed invention, i.e., the thickness desired by SCHULZ. Figure 6B illustrates the thickness of the claimed invention. As evidenced by these Figures the teachings of SCHULZ are contrary to the claimed invention.

Accordingly, one of ordinary skill in the art would have been discouraged from selecting the recited maximum distance D of the embossing patterns in the displacement direction that is equal to the smaller one of the values of 12H and 14L of claim 12, as

the resulting tissue paper would not have the desired bulk of SCHULZ, i.e., essentially the same as two plies embossed together.

Moreover, SCHULZ fails to recognize the benefits of selecting the recited D value and increased bulk/thickness of the claimed invention. For example, as demonstrated by Table 1 of the present specification, one benefit of the claimed invention is that the manufacturer to sell rolled paper products of a conventional roll diameter and firmness using less paper sheets, which provides a savings for the manufacturer. See, page 11, first and second paragraphs, in view of Table 1 on page 10 of the present specification. This benefit cannot be achieved by SCHULZ, as SCHULZ requires that the thickness of the paper be the same as a conventional embossed sheet, i.e., one that is not separated and rejoined.

Thus, as SCHULZ discourages selection of the recited D values and fails to recognize the benefits of the recited D values, SCHULZ fails to render obvious independent claims 12 and 19, as well as dependent claims 13-18.

Therefore, withdrawal of the rejections is respectfully requested.

In view of the above, applicants believe that the present application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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